IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE SIDE

CRIMINAL APPLICATION NO.4469 OF 2006

Ashok Kumar Sansar Gaikwad .. Applicant.

V/s.

The State of Maharashtra .. Respondent.

Ms.Anjali Patil for the applicant.

Shri.Rajesh More for the respondent.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 22ND DECEMBER, 2006

P.C.:

1. The applicant-accused is arrested in connection with C.R.No.262 of 2006 registered by Kurar police station. The offence alleged is of forgery and cheating. The applicant is under arrest from 6th November, 2006.

2. From the application and the annexures thereto, it appears that the complainant in this case is an officer of the Corporation bank whereas the applicant has obtained

the financial assistance from HDFC bank. In these circumstances, prima facie, there is substance in the contention of the learned advocate apearing for the applicant that the applicant has no connection with the subject crime.

3. In such circumstances and when there is no apprehension that the applicant upon enlarging him on bail would not be available for trial, he deserves bail.

4. Hence, the following order : -

ORDER :

(i) Applicant is directed to be released on bail in connection with the C.R.No.262 of 2006, registered by Kurar police station on executing personal bond in the sum of Rs.15,000/- (Rs.Fifteen thousand only) with one or two local sureties in like amount.

(ii) The applicant shall not influence prosecution witnesses or tamper with the prosecution evidence in any manner, whatsoever.

(iii) The applicant shall report the concerned police station once in a week between 5.00 p.m. and 7.00 p.m. till the chargesheet is filed and thereafter as directed by the trial court. The applicant shall deposit his passport, if any, with the Investigating Machinery. The applicant shall not leave Mumbai without prior permission of the Trial Court.

(iv) The order of bail will be given effect only after the applicant furnishes to the Investigating Officer the details about his place of residence and address where he proposes to stay after he is enlarged on bail. The applicant will not change his residential address thereafter till the conclusion of trial without prior intimation to the Investigating Officer.

(v) The applicant shall co-operate for early disposal of the trial. In the event, the trial court is of the opinion that the applicant is responsible for delay in trial, that be recorded in roznama and that can be the basis for

cancellation of bail.

(vii) Any observation made in this order shall not be construed as any finding or any expression of opinion on the merits of the case at the time of trial

(viii) Application disposed of in above terms.

(ix) Parties to act on an authenticated copy of this order.

(S.C.Dharmadhikari, J.)